

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held October 7, 2014

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:57 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and Robin L. Lindsey.

Also in attendance was George Wolfe, Township Manager; Steven Stine, Township Solicitor; and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mr. Hawk suspended the recitation of the Pledge of Allegiance as it was recited during the previously held Sewer Authority meeting.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the August 19, 2014 budget workshop meeting; August 19, 2014 business meeting and the September 2, 2014 business meeting. Mrs. Lindsey seconded the motion, and a unanimous vote followed.

**Public Comment**

Mr. Terrell Leech, 1149 Pleasant Road noted that his problem is in regard to the stream relocation along Dowhower Road. He noted that his property joins to Dowhower Road. He noted, in mid-winter, Mr. Sam Robbins and an engineer from HRG came to his house and provided him with information that the stream would be relocated coming into his yard being moved back onto his property. He stated that Mr. Robbins did not inform him that he would take his back hill, clear all the trees and cut six feet of his natural flat land. He stated that he was not

aware of this which amounts to about 600 square feet of his land. He noted with their cutting back the land, the bank that had trees and scrubs that he did not maintain as it was a natural fence barrier for his children not to fall down over the hill. He noted, now that the contractor cut back the area, he has a slope that is greater than two to one slope, a 76.9% grade which means that every two feet, it drops 13.5 inches.

Mr. Leech noted that he contacted Mr. Robbins and made him aware of this as soon as he found that they were coming that far back on his property. He noted that they came to him the night before they were going to do the project and asked him to move his trampoline. He explained that he was fine with moving it as they were doing work, and then he realized that they were cutting back into his yard and creating more of a cliff in his bank. He noted that he asked what was going to happen to resolve the situation to keep his children and the neighborhood kids safe.

Mr. Leech stated that he felt that he was misled or misinformed. He noted that they said they were going to come across the creek, move the creek a couple feet back, clear out around the bottom and he was fine with that. However, when they created the cliff it was a major safety concern for him with his child. He noted that he is not saying that his child will die but it is very likely that she could break an arm or a leg. He stated that he took some before and after pictures. He explained that he asked for a fence and staff replied that they would put 14 trees back in which he took a picture of the trees that they plan to install and they are the size of his pinky. He noted that they also stated that they would plant crown vetch, the stuff that grows out along the highways, the high weed grassy stuff. He noted that he was told that is what will hold his child back from the bank after it grows in. He noted that all he asked for was a reasonable fence to go across and they said no. He noted that he decided to bring it to the next level.

Ms. Kathryn Nye stated that she also had pictures to show the Board. She showed pictures of Mr. Leach's property with the slope and pictures of her property. Mr. Crissman noted that the residents need to show the pictures to all the Board members.

Mrs. Nye showed pictures of her land that they did nothing to repair. She noted that they did something to repair Mr. Leach's land but the slope is tremendous so her complaint is that they just broke up her land, noting that she has Multiple Sclerosis and her balance is not great. She noted that they left exposed roots in her yard and if she falls it is not a good thing. She explained that they dug up the sewer line and torn up her underground fencing for her dog.

Mr. Seeds questioned if you both live across from South Side Elementary School. Mr. Leach answered yes. He noted that the picture he was showing was taken from the bottom of his property, the box culvert that will be completely open and his child could fall down and through it, as it is in his yard as they moved it back onto his property.

Mr. Hawk noted that we cannot come up with a response at this time. Mr. Wolfe suggested that next Tuesday night the Board could take a quick road tour. He noted that the Dowhower project was on the road tour but it was the one item we did not get to.

Mr. Seeds questioned where Mrs. Nye lived. Mrs. Nye replied 1139 Pleasant Road.

Mr. Leach noted that the Board is more than welcome to come into his yard to view the project from both angles.

Ms. Lindsey questioned if they signed easements. Mr. Leach answered yes. Mrs. Nye noted that she found out that they were both told the same thing that they were only going to come out two feet from the creek. She noted that they tore up both of our properties. Ms. Lindsey questioned if the easement would have stated how far they were going on your property. Mr. Wolfe noted that easements are typically 30 feet but it is dependent on how much of the

stream needed to be relocated, and it could have been wider than that. He noted that the easement would have been set by the U.S. Army Corps of Engineer and the Department of Environmental Protection (DEP).

Mr. Crissman suggested by going next week to view the site the Board will have a opportunity to see what has occurred, and in the meantime, communication can be made with the Public Works personnel to find out their information. Mr. Leach noted when he signed the easement in the middle of winter, he consented to them coming across his property to do work, and from what they told him they would take some out, but he did not know that they were going to take out 600 square feet of his flat usable land. He stated that he consented to something that he did not know he was consenting to.

Mr. Hawk noted that we will come out to look at it next week.

Mrs. Nyes noted that they dropped off something and put it on her land without her knowing they were going to do it as she assumed that it was for the sewer project. She noted that they dropped it off today. She explained that it would be helpful if they would communicate what they are doing. She noted that they tore up her underground fencing and they spliced it together, and that is not going to cut it.

### **Board Members Comments**

Mrs. Lindsey wanted to thank the Colonial Park Fire Company for its Community Day event that it held this past Sunday. She noted that Linglestown Fire Company was also in attendance and they had a great turnout. She noted that Penn State Life Line was also in attendance.

### **Manager's Report**

Mr. Wolfe noted that Representative Ron Marsico will conduct a Senior Expo on Thursday, October 30<sup>th</sup> at 10 a.m. until noon at the Antique Auto Club of America Museum in Hershey. He noted that it is located on Route 39 north of Hershey Park Drive. He explained that it is a free event, providing admission to the Expo and the museum. He noted that there will be information regarding services available to seniors and their families as well as the ability to tour the museum.

Mr. Wolfe noted that Trick or Treat will take place in the Township on Thursday, October 30, 2014 from 6 p.m. to 8 p.m. He noted that most communities in Dauphin County will observe Trick or Treat on this night. He explained that the police and fire department personnel will be out in force. He requested residents who want to participate in this event should turn on their porch lights and parents are encouraged to supervise their children during the event.

Mr. Wolfe noted that the Parks and Recreation Department will host hay rides at George Park along with pumpkin carving. He noted that the hayrides will be held on October 24, 25, and 26<sup>th</sup> from 6 p.m. to 8 p.m. He noted that the fee is \$3 per person. He noted that pumpkin carving at George Park will be held on Sunday, October 26<sup>th</sup> from 5 to 6 p.m.; the fee is \$7 per pumpkin to carve a pumpkin.

Mr. Wolfe noted on Sunday, October 12<sup>th</sup>, the Friendship Center will have a Pink Party, in support of Breast Cancer Awareness. He noted that the swimming pool at the Friendship Center will turn to pink and the community will be invited from 6 p.m. to 8 p.m. for a night of fun activities and events.

## **OLD BUSINESS**

### Ordinance 14-05; amending the Property Maintenance Code as it relates to weeds

Mr. Wolfe noted that the specific amendment of the Property Maintenance Code (PMC) is as follows as it relates to Section 302.4 Weeds: “all premises and exterior property shall be limited to the minimum lot area as required by the Lower Paxton Township Zoning Ordinance and to a setback of ten feet (10’) from the property line outside the minimum lot area. Any part for the premises and exterior property in excess of the minimum lot area and the ten-foot setback area shall be exempt from the requirements of Section 302.4.” He noted that weeds and grass must be maintained at an elevation no greater than ten inches. He noted a property owner would be required to maintain a ten-foot setback around the entire parcel as well as the minimum lot area as set forth in the zoning ordinance.

Mr. Wolfe noted that the Board previously conducted a public hearing on this ordinance and at that time the Board postponed action until this meeting. He noted that the Board has viewed this issue on road tour and it is appropriate to continue discussion at this time. He noted that Mr. Stine can address any concerns that you may have on the ordinance or the public hearing process.

Mr. Hawk questioned Mr. Stine if the Board needed to open a public hearing. Mr. Stine answered no as you have already done this.

Mr. Crissman made a motion to approve Ordinance 14-05; amending the Property Maintenance Code as it relates to weeds. Mrs. Lindsey seconded the motion. Mr. Hawk called for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on an agreement between the Township and its Police Officers

Mr. Hawk noted that the Board has viewed this agreement in the past during discussion on negotiations and the agreement is now complete for action. He noted that there was one minor omission that has since been taken care of and the correction has been included in the packet as well as the signature page which has been executed by the members of the Police Collective Bargaining Team.

Mr. Crissman made a motion to approve the agreement between the Township and its Police Officers starting January 1, 2015 and ending December 31, 2016, as presented by Mr. Wolfe. Mr. Seeds seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

**NEW BUSINESS**

Presentation of the South Central EMS 2015 budget request

Mr. Hawk noted that Chief Jason Campbell is present to make a presentation from the South Central Emergency Medical Services, (SCEMS) with regard to their 2015 budget.

Chief Jason Campbell thanked the Board for allowing him to address the members during this evening's meeting.

Chief Campbell explained that he was present to request an increase in the annual contribution from the Township. He explained that he provided the Board with the 2013 Call Frequency Report and Annual Contribution that he receives from all the municipalities that he currently serves. He noted that Lower Paxton Township is the largest municipality that he serves. He noted out of the 9,000 annual calls, the Township covers 57.9% of those calls. He noted in 2013, the Township decreased the contribution that was provided to SCEMS and it was due to a decision made by the Board at the request of SCEMS. He noted it was the sole

responsibility of SCEMS. He noted in the 2013 and 2014 agreement that we are currently under; he has seen an increase in the call volume which has caused him to add additional staff and ambulances. He noted in 2015, SCEMS plans to replace its last two front line ambulances, which was not planned for another four years. He noted that it will provide him with 12 ambulances, three ALS squads, and one geriatric ambulance.

Chief Campbell noted that SCEMS continues to be the top provider of EMS in Dauphin County and in the region. He noted that he would be very happy to provide the Board with the 2015 annual budget and documentations to consider for our request.

Ms. Lindsey questioned what the average monthly calls are for the Township. Chief Campbell answered 480 calls.

Mr. Seeds questioned when the agreement expires. Chief Campbell answered December 2014. Mr. Seeds noted that the Board needs to enter into negotiations to come to an agreement before the end of the year. He questioned if he proposed to Mr. Wolfe that we should meet between now and then to do this. Chief Campbell answered that this is the initial discussion for those talks. Mr. Seeds noted that we need to set up some talks.

Ms. Lindsey questioned what the amount was that the Board provided to SCEMS before it was lowered to \$27,500. Chief Campbell answered that it was \$224,000.

Mr. Hawk noted that it is obvious that the call volume for the Township is higher. He noted that the contribution from the two townships to the east is rather significant. He noted since we are engaged in budget preparations, we should schedule some time with Chief Campbell.

Mr. Crissman questioned Chief Campbell was he was asking for as a contribution for 2015. Chief Campbell answered that he did not want to ask for a specific number noting that it is



a contribution from the municipality and we do not invoice or charge the municipality a certain fee; it is whatever the Board determines that it will provide as a contribution.

Chief Campbell noted that any money that he would receive would be for payroll purposes and only for that. He explained that he provides the payroll reports as part of the monthly financials he distributes to all the Board members.

Mr. Crissman noted that you know what your operations are and have laid the groundwork for discussion showing us that we share 57% of the call volume and we can also compare the numbers that are contributed from the other organizations. He suggested that Chief Campbell has some idea of what he would like to see. He noted that the Board needs a number to start those discussions. Chief Campbell answered that it would be comparable to what we receive from East or West Hanover Townships as the call volume from Lower Paxton Township generates enough revenue. He noted in the smaller municipalities where there is not the same call volume, their contribution needs to be higher.

Mr. Crissman noted that this would help in discussions for our next meeting as it provides a starting point.

Mr. Seeds questioned what percentage of the residents are members of SCEMS. Chief Campbell noted that he did not have that information with him although the majority of the total members are from Lower Paxton Township.

Mr. Hawk noted that the call frequency speaks for itself at 57% versus 9% and 6% for West and East Hanover Townships. He noted that the majority of the heavy lifting comes from the Township.

Mr. Seeds noted that the Township has roughly 17,000 residences and he was interested in knowing how many are members. He suggested that would be a deciding factor in what we

would pay. He noted for some municipalities, a large percentage may not be members and you would derive a good deal of income from memberships. Chief Campbell answered that memberships are a small percentage and there is a control number that we can have as by the State due to medical laws.

Mr. Crissman questioned Chief Campbell if he is serving people based on memberships. Chief Campbell answered no. Mr. Crissman questioned if you serve based on need. Chief Campbell answered need and 911 calls.

Mr. Seeds noted that membership would decide whether a person would be billed after their insurance payment was made. He noted it is an opportunity to push membership because if EMS services are needed their insurance will cover the call and they won't be billed if they are a member. Chief Campbell noted if someone is a member, they will not receive a bill.

Mr. Seeds questioned if membership is by calendar year. Chief Campbell answered yes. Mr. Seeds noted that they should be coming out in the mail soon. Chief Campbell answered that they have already been mailed to the residents. Mr. Seeds noted that he did not receive one. Chief Campbell answered that Mr. Seeds is already a member and his renewal will come out 30 days prior to the end of his membership.

Mr. Hornung noted that SCEMS seems to be doing very well, and he complimented him on the change from the previous people who ran the organization. He noted that it is a two-edge sword. He questioned what you will do with the money that we will contribute to your organization. He noted that Chief Campbell has a \$500,000 profit for the organization, and suggested that if the Township would have contributed to you what we gave you in the past it would have been an additional \$200,000. Chief Campbell answered that it will go towards payroll. He noted that he gets applicants from Dauphin, Lebanon and Lancaster Counties,

Paramedics in the vicinity of Dauphin County. He noted that he is looking to reach out to people to work for SCEMS as a career and not just as a job. He noted that it would help the organization and the citizens in the community. Mr. Hornung asked how. Chief Campbell explained that people who are familiar with the community would decrease the response times as they would be familiar with the roads. He noted that it would be for payroll purposes, keeping those providers around that we have had working for us for 15 or 20 years, keeping them until they are ready to retire.

Mr. Hornung questioned what his payroll is for a year. Chief Campbell answered \$2.3 million. He noted that it might be a 10% increase.

Mr. Hawk noted that we will schedule a workshop session with Chief Campbell.

Mr. Crissman stated that he thought Chief Campbell was present to make an early presentation and that we would sit down at a workshop to have further discussion with regard to a final number that the Board may be able to contribute. He noted that we too are planning the 2015 budget and it is one area that we will have to take under advisement to come up with a recommendation. He noted that we need to hear from Chief Campbell based on his needs, wants and desires. He noted that the needs are much more important than the wants.

Mr. Seeds suggested that Chief Campbell should join the Board's budget workshop scheduled for October 21.

Ms. Lindsey questioned if SCEMS comes under Public Safety. Mr. Wolfe answered that he would be separate.

Mr. Hornung noted that any money provided to SCEMS must come from an additional tax as there is no money left. He noted that we have pared the budget down and gone for so long with not doing things like road improvements that it has gotten to the point that we can't

continue at this rate so we are already looking at a tax increase. He noted that anything more will be result in more of a tax increase. He noted that is where we are at as we are not likely to have any extra funds. He noted that these will be tough discussions.

Mr. Hawk noted that we will have further discussions with Mr. Campbell. Mr. Crissman stated that we have an idea of what Chief Campbell is looking for and now we need further justification for the increase.

Action on a proposal from GHD to provide the Township with site design services

Mr. Wolfe noted that the Board discussed this proposal in the past to provide site design services for the Township Public Works Facility in regard to expansion of the Public Works building and any other development activity that may occur on site. He noted that the scope of services laid forth is detailing the issues that will be addressed and the cost proposed is a not-to-exceed amount of \$4,000.

Mr. Crissman noted that we have had much discussion on this and we need to move forward. He made a motion to accept the proposal from GHD to provide the Township for the site design services in an amount not-to-exceed \$4,000. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on an agreement with Susquehanna Group Advisors, Inc.  
to serve as the Township's Dissemination Agent

Mr. Stine explained that this is a proposal for an agreement from Susquehanna Group Advisors, Inc. to serve at the Township's Dissemination Agent. He noted that this has to do with the Security Exchange Commission's (SEC) recent rule making the requirement for continuing disclosure on existing borrowings that the Township has outstanding. He noted that it will make Susquehanna Group Advisors the party to be responsible to take whatever information the Township provides to it and pass it along in an annual report required by the rule making. He

noted that this agreement addresses all the requirements that need to be met as well as what needs to be provided to them to undertake the dissemination of the information and required disclosures.

Mr. Stine noted that he would be happy to answer any questions, otherwise this is ready for action this evening.

Mr. Seeds questioned if the Board will have to do this every year. Mr. Stine answered yes for all outstanding borrowings that it has that are still in force. Mr. Seeds noted that someone who is skilled in this particular thing, which Susquehanna Group Advisors is, is proposing to do this for the Township. Mr. Stine answered that was correct and explained that they will only take the information provided to them from the Township and essentially package it and make sure it is filed properly.

Mr. Crissman made a motion to approve the agreement with Susquehanna Group Advisors, Inc. to serve as the Township's Dissemination Agent as prescribed by law. Ms. Lindsey seconded the motion. Mr. Seeds questioned if there was a cost to this. Mr. Stine noted that there is no cost at this time as it will be done on an annual basis. He noted that the agreement is terminable by either party 30 days after a written notice. He noted that it will be taken care of on an annual basis. He explained that Susquehanna Group Advisors should provide a proposal to Mr. Wolfe with regard to what it would be for the years that we will be doing this. He suggested that we must start with 2013 and then 2014. Mr. Seeds noted that they are representing the Township for its bond issues so it would be part of their service. He suggested that they will come to us with a cost. Mr. Stine answered, that he did not know. Mr. Seeds noted at this point there is not cost.

Mr. Crissman noted if there would have been an amount he would have disclosed that in his motion.

Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolutions 14-30-01 through 14-20-05; authorizing the installation of the Adaptive Traffic Signal System at five intersections involving Union Deposit Road

Mr. Wolfe noted that the Board has been privy to information on the Adaptive Traffic Signal System for Route 22 as it runs from the City of Harrisburg to Lower Paxton Township. He noted that it is also going to be installed on the Carlisle Pike as PennDOT has already issued contracts for services to do that work and it is underway. He noted that PennDOT would also like to expand it onto Union Deposit Road. He noted that the five intersections that will be effected are Briarsdale, I-83 East and West Ramp intersections, Scenery Drive and the entrance to Point Mall on East Park Drive. He noted that the latter intersection is not on Union Deposit Road but it feeds directly into Union Deposit Road traffic. He noted that PennDOT will install the adaptive traffic signal equipment on the Township's signal boxes but it will be Lower Paxton Township's responsibly to maintain the equipment once this is done.

Mr. Wolfe explained that the Township has agreed to such an arrangement for the Route 22 corridor and staff recommends that you also agree to it for the Union Deposit Road corridor and in doing so you would need to adopt the five resolutions presented to you this evening.

Mr. Crissman made a motion to approve Resolutions 14-30-01 through 14-30-05; authorizing the installation of the Adaptive Traffic Signal System at five intersections involving Union Deposit Road. Mr. Seeds seconded the motion.

Mr. Seeds questioned when the changes are made to I-83, will they be adaptive to new signals. He noted as there is no cost to the Township at this time, will they take the same equipment or adapt it to any changes for the signals when they complete the I-83 project. Mr.

Wolfe noted if signal timing changes are needed when the I-83 project is developed or if new signals are installed, the equipment can be moved to other locations or reprogramed.

Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary-final subdivision plan for Huntleigh, Phase 6 & 7

Mr. Wolfe explained that the Township has received a plan that proposes to subdivide the existing lot into five (5) lots. The property is zoned R-1, Low Density Residential District, it is 22.14 acres and is located at the northwestern corner of Lyters Lane and Conway Road. The project was previously approved as Phases 6 and 7 with thirty-two (32) building lots. Proposed lot sizes per this plan submission are as follows: Lot 1: 6.9 acres, Lot 2: 4.407 acres, Lot 3: 1.914 acres, Lot 4: 1.833 acres and Lot 5: 7.023 acres. The property will be served by public water and public sewer. He noted that the purpose of this plan is a lot consolidation to the west on Lyters Lane.

Mr. Wolfe noted that the Planning Commission first reviewed the Preliminary/Final Subdivision Plan for Huntleigh at its July 2, 2014 meeting. Following this review, the Commission directed the applicant to resolve the plan as now proposed with the approved preliminary plan for Phases 6 and 7 of the Huntleigh development.

Mr. Wolfe noted as a result of the above requirement of the Commission, staff met with the applicant on July 10, 2014. Attached to this memorandum is correspondence from R.J. Fisher & Associates, engineer for the applicant, detailing the plan modifications that have been made to address the Commission's requirement. The plan was taken back to the Planning Commission on August 6, 2014 with the comments from both staff and the prior Commission meeting concerns, and on August 6, 2014 the Lower Paxton Township Planning Commission recommended approval of the plan.

Mr. Wolfe noted that the waivers are as follows: Installation of street widening; noting that the approved preliminary plan for Huntleigh was granted a modification of this section allowing a widening of approximately 4' along the frontage of Phases 6 & 7. The developer proposes to grade the embankment at the curve on Lyters Lane to improve the ability of drivers to see around the curve instead of the minimal widening of 4' as approved. This grading will be done in tandem with the construction of the first home in the phase. He noted that staff supports this waiver. He noted that the second waiver is for the installation of sidewalk along the street frontage. He noted that the approved preliminary plan for Huntleigh proposed an 8' pedestrian walkway along the southern side of Lyters Lane and the eastern side of Conway Road; however due to the decrease in units from 32 to 5 the developer feels that the pedestrian walkway along Lyters Lane is not justified due to the limited use it will receive. Furthermore, no sidewalks exist on the surrounding properties therefore sidewalks on Lyter's Lane would not provide any interconnectivity benefit to the Township. He noted that staff supports this and the Planning Commission agrees with the waiver for pedestrian path on Lyters Lane but would like to require the pedestrian path on Conway Road for future phase development.

Mr. Wolfe noted that there is one Site Specific Conditions: a need to provide a signed Operation and Maintenance Agreement; as well as eight General Conditions and one staff comment.

Mr. Wolfe noted that John Kerschner is present to represent the plan and he will be able to answer any specific questions.

Mr. Crissman noted that item eight for General Conditions concerning the comments for the Township Engineer, the comments are not attached to his information. Mr. Wolfe noted that it was not included in the packet. Mr. Seeds suggested that there should have been an attachment



in regards to a meeting the Planning Commission asked for between staff and the developer. He questioned if it was in regard to the change from the previous plan that had the 34 lots.

Mr. Hawk noted that the Board drove by the development on a road tour this date.

Mr. John Kerschner noted that the Huntleigh project was originally 148 lots and with the housing market in flux at this time a decision was made that they had plenty of supply on the one side of the road where they are currently developing but to take phases six and seven which was proposed for 32 lots with street construction and do estate size lots. He noted that it is in keeping with some of the homes that are located around this area and it has been well received. He noted that he meet with the Planning Commission twice over the summer and had a meeting with staff subsequent to those meetings working out all the issues with the Township Engineer. He noted that Mr. Wolfe provided an eloquent and succinct description of the plan, and that he would be happy to entertain any questions that the Board may have. He noted that he concurred with the direction of the waivers as well as the standard items of approval and a storm water management permit will have to be obtained before he proceeds with the project.

Mr. Crissman noted the second waiver request states that staff and the Planning Commission support it however they want to request a pedestrian path on Conway Road for future phase development. He questioned if he was in concurrence with that. Mr. Kerschner answered yes. He noted for what would be the east side of Conway Road, it will be actively developed and he has already started the pedestrian bike path in Phase One and will continue it unto the end of the property which will gets it close to the Hodges Heights Development and also get people off the road. He noted that he fully agrees with that condition of the waiver. Mr. Seeds noted that the path is already there. Mr. Kerschner answered that it is partly there. He noted that he would extend it as he continues to do future phases. Mr. Seeds noted that this

evening a lady was jogging on the path and as he passed her she had to run along the inside of the curb to continue going south on Conway Road. Mr. Kerschner noted when we continue more phases he will continue the bike path. Mr. Seeds noted in the previous plan that was approved you were planning on putting in sidewalks. Mr. Kerschner answered that is not true, it was always a pedestrian bike path for the plan. He noted that he dedicated a fair amount of ground along Nyes Road for the greenway and the bike pedestrian path seemed to be in keeping with having sidewalks in the inside development but a bike pedestrian path was more appropriate as it is a paved pathway, a little wider than the a sidewalk but you don't have the curbing along Conway Road. He noted that it provided a nice match.

Mr. Hawk questioned Mr. Kerschner if he had a copy of the engineering comments.

Mr. Crissman questioned Mr. Kerschner if he had a copy of the staff memo. Mr. Kerschner answered that he did not but was provided one. He noted that he felt comfortable with the meeting tonight as he had worked out all the issues with staff and the engineer.

Mr. Crissman questioned Mr. Kerschner if he was able to speak for the plan. Mr. Kerschner answered yes.

Mr. Crissman questioned if Mr. Kerschner was in agreement with the two waivers and the changes to number two in regard to the bike pedestrian walkway. Mr. Kerschner answered yes.

Mr. Crissman questioned Mr. Kerschner if he was in agreement with the one site specific comment. Mr. Kerschner answered that it has not yet been completed but it will be.

Mr. Crissman questioned if Mr. Kerschner was in agreement with the eight general conditions that they are done or will be done in a timely fashion. Mr. Kerschner answered yes, but he did not know why it mentioned an improvement guarantee as there are no public

improvements. He noted that we already have an improvement guarantee for the Huntleigh Plan in place and if the waivers are granted, there are no public improvements. Mr. Stine noted that there are probably no improvements required. Mr. Kerschner answered that there are none, but there is a stormwater basin but it is not taking public water. Mr. Stine noted to the extent that they are required it would have to be. Mr. Kerschner noted that the rest of the conditions are fine.

Mr. Crissman noted that regarding condition number eight and that is what Mr. Wolfe went to get, a copy of the HRG memo with the comments. He noted that he did not know how many comments there are from the Township Engineers' letter. He noted that he needs to make sure that everything will be completed in a timely manner. Mr. Kerschner noted that he had a copy of the HRG memo dated July 23, 2014 from Mr. Fleming which was his second review after the revisions were made at the request of the Planning Commission. He agreed to all 14 comments.

Mr. Crissman questioned Mr. Kerschner if he was in agreement to the one staff comment. Mr. Kerschner answered yes.

Mr. Wolfe noted that he has correspondence in the file dated July 21, 2014 from R. J. Fisher indicating the response to the engineer's comments. He noted that it is not the date that Mr. Kerschner provided to the Board and suggested that the motion should be made contingent upon HRG's letter dated whatever it is and the comments contained wherein.

Mr. Wolfe noted that the two waiver requests are what were previously stated. He noted that it appears that the correspondence do match, one is an earlier rendition of what Mr. Kerschner has just provided to him, but he would condition the approval upon outstanding comments.

Mr. Crissman made a motion to approve the revised preliminary/final subdivision plan for Huntleigh, Phases 6 & 7 with the following waivers and conditions: 1) Installation of street widening; noting that the approved preliminary plan for Huntleigh was granted a modification of this section allowing a widening of approximately 4' along the frontage of Phases 6 & 7. The developer proposes to grade the embankment at the curve on Lyters Lane to improve the ability of drivers to see around the curve instead of the minimal widening of 4' as approved. This grading will be done in tandem with the construction of the first home in the phases; 2) Waiver of the installation of sidewalk along the street frontage. He noted that the approved preliminary plan for Huntleigh proposed an 8' pedestrian walkway along the southern side of Lyters Lane and the eastern side of Conway Road; however due to the decrease in units from 32 to 5 the developer feels that the pedestrian walkway along Lyters Lane is not justified due to the limited use it will receive. Furthermore, no sidewalks exist on the surrounding properties therefore sidewalks on Lyter's Lane would not provide any interconnectivity benefit to the Township. A bike path will be constructed on the eastern side of Conway Road; 3) Provide a signed Operation and Maintenance Agreement; 4) Plan approval shall be subject to providing original seals and signatures; 5) Plan approval shall be subject to the payment of engineering review fees; 6) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements if needed; 7) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 8) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 9) Plan approval shall be subject to the Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 10) Plan approval shall be subject to the payment of recreational fee-in-lieu for five building lots at \$2,320 per lot; 11) Plan approval shall be subject

to addressing all review comments of the Township Engineer and the Dauphin County Planning Commission, noting that all comments will be resolved by the Township and applicant; and 12) A street/storm sewer construction permit is required prior to earthmoving activities. A pre-construction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held in conjunction with the Conservation District meeting. Mr. Seeds seconded the motion. Mr. Hawk called for a roll call vote: Ms. Lindsey, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Kerschner noted that the plan was submitted in the midst of some staff changes and Mr. Wolfe stepped up and took care of the transition in handling it between staff members and he is grateful for that.

#### Improvement Guarantees

Mr. Hawk noted that there was four Improvement Guarantees and four Stormwater Guarantees to approve. Mr. Wolfe noted that the Bishop McDevitt Improvement Guarantee was removed from the agenda this evening.

#### Longhorn Steakhouse at Colonial Park Mall

A reduction in a bond with Liberty Mutual Insurance Company in the amount of \$4,895.00 with an expiration date of September 2, 2015.

#### CGOH Parking Expansion

A release of a letter of credit with Wells Fargo in the amount of \$189,754.62.

#### 4200 Union Deposit Road

A release of a letter of credit with M&T Bank in the amount of \$14,850.00.

### Stormwater Guarantees

#### Plan for 5905 Fox Street

A release of an escrow with Lower Paxton Township in the amount of \$3,900.00.

#### Plan for 951 Sunnyhill Lane

A new escrow with Lower Paxton Township in the amount of \$4,000.00 with an expiration date of October 7, 2015.

#### Plan for 5545 Old Locust Lane

A new escrow with Lower Paxton Township in the amount of \$4,500.00 with an expiration date of October 7, 2015.

#### Plan for 6260 Parkway East

A new escrow with Lower Paxton Township in the amount of \$14,000.00 with an expiration date of October 7, 2015.

Mr. Seeds made a motion to approve the three listed improvement guarantees and the four stormwater guarantees. Mrs. Lindsey second the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Payment of Bills**

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 9 p. m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

William L. Hornung  
Township Secretary